City of Lafayette
Public Meeting Agenda
City Council Special Meeting
Redevelopment Agency Special Meeting

Tuesday, May 27, 2008 5:00 pm
Lafayette Community Center – Sequoia Room
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. ADOPTION OF AGENDA
4. PUBLIC COMMENTS
5. STAFF REPORT
   A. **Budget Workshop – Proposed Budget FY2008/2009**
      Recommendation: Discuss and continue to June 9, 2008 for public hearing and adoption.

6. ADJOURNMENT

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

* Any writings or documents pertaining to an **open session** item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at City Hall located at 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA. during normal business hours.

City of Lafayette
Public Meeting Agenda
City Council Regular Meeting
Redevelopment Agency Special Meeting

Tuesday, May 27, 2008 7:00 pm
Lafayette Community Center – Manzanita Room
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. ADOPTION OF AGENDA
5. REPORT FROM CLOSED SESSION
6. PUBLIC COMMENTS
7. PRESENTATIONS
   A. **Update from Jim Fitzsimmons, Contra Costa Mosquito & Vector Control District Trustee**
   Recommendation: Receive and file.

   B. **Jennifer Russell, Parks, Trails & Recreation Director**
   Receive California Parks & Recreation Award
   Recommendation: Receive and file.

8. OLD BUSINESS

   Convene Redevelopment Agency

9. STAFF REPORTS
   A. **Request by Cortese Properties LLC for payment of $600,000 of redevelopment agency funds upon issuance of the certificate of occupancy for the Lafayette Mercantile project, consistent with the terms of the Owner Participation Agreement (OPA).**
   Recommendation: Approve request and authorize the initial payment of $600,000 and future yearly payments from the Agency's funds to Cortese Properties LLC.

   Adjourn Redevelopment Agency

10. PUBLIC HEARINGS

11. CONSENT CALENDAR
   A. **May 12, 2008 City Council Minutes**
   Recommendation: Approve.

   B. **Agreement for Installation and Maintenance of Existing and New Landscaping between Scott and Kathy Franklin and the City of Lafayette, located at 561 Morecroft Road, APN 237-381-017**
   Recommendation: Accept agreement for installation and maintenance of existing and new landscaping and authorize City Clerk to record.

   C. **Adoption of CEQA Categorical Exemption Finding for Lafayette Circle Utility Undergrounding Project**

Recommendation: Adopt a CEQA Categorical Exemption finding under Section 15302(d) for the Lafayette Circle Underground Utility District Project and authorize staff to record a Notice of Exemption.

D. **Minor Subdivision 504-06, 3975 S. Peardale Drive Approval of Subdivision, Authorization to Record Parcel Map**
Recommendation: Approve the subdivision and the deferred improvement agreement and authorize the execution of both agreements and recordation of the parcel map.

E. **2008 Mandatory Review of Conflict-of-Interest Code**
Recommendation: Direct staff to review the City's Conflict-of-Interest Code.

F. **Letter from Tim Ward resigning from the Design Review Commission**
Recommendation: Accept resignation with regret and schedule recognition.

12. COUNCIL/COMMISSION REPORTS
A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

B. **Mayor Anderson**
1. **Letter dated May 1, 2008 from Anne Cain, Contra Costa County Librarian, requesting council appointment to the Contra Costa County Library Commission for the term of July 1, 2008 through June 30, 2010 for a Commission member and alternate.**
Recommendation: Reappoint Library Commissioner Mary Ann Hoisington and Robert Leffmann as the alternate.

2. **Discussion for celebrating Lafayette's 40th birthday**
Recommendation: Receive and file.

13. WRITTEN COMMUNICATIONS

14. CLOSED SESSION
A. **Mala Subramanian, City Attorney**
1. **Conference with Legal Counsel – Initiation of Litigation (1 Case) (Government Code section 54956.9(c)**

2. **Conference with Legal Counsel – Existing Litigation**
Government Code section 54956.9(a)
Richard F. Holmes vs. City of Lafayette
Case No. MSC07-00251

15. ADJOURNMENT to the next regularly scheduled meeting on Monday, June 9, 2008.

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

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City of Lafayette
General Information for Public Meetings

Location of Agendas and Agenda Packets: Agenda and packets are available for review by the public during regular work hours at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210. Agendas and packets shall be made available at least 72 hours in advance of each meeting. Agendas and staff reports are also available on the city website www.ci.lafayette.ca.us .

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Joanne Robbins, City Clerk at (925) 299-3210 at least 48 hours before the meeting, if possible.

Board1 Discussion: In accordance with State Law, the Board is generally prohibited from discussing and making decisions regarding items not posted on the agenda. Exceptions include items of urgency that become known to the Board after the posting of the agenda; discussion of such items requires a 4/5ths affirmative vote by the Board.

Persons Wishing to Speak: Any person may address the Board on any item listed on this agenda. Persons wishing to address the Board should complete a speaker slip and submit it to the City staff. In addressing the Board, speakers should step to the podium and state their names and addresses for the record.

Public Comments on Agenda Items: Persons wishing to speak on items listed on the agenda will be heard when called by the meeting chair. After the public has commented, the item will be closed to public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the meeting chair.

Public Comments on Non-Agenda Items: Persons wishing to speak on matters not posted on this agenda are encouraged to submit the matter in writing to the City Clerk or staff aide at least ten days prior to the next regularly scheduled Board meeting date. Persons unable to do this may address the Board under the PUBLIC COMMENTS section of this agenda. Note, however, that such matters may be referred to staff for action or posted on a future agenda.

Time Limit on Comments: Persons will be permitted to speak for up to three minutes.

Posted Times: Posted times are estimated and actual times will vary. Public hearings may start later but never earlier than the posted time.

Reconsideration of Items: After the Board has acted on an agenda item, it may reconsider the same item later in the meeting in accordance with Council Rules of Proceedings II.D.4 in Resolution 17-95.

Consent Calendar: All matters listed under consent calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time that the Board votes on the motion to adopt.

Notice Requirements: Lafayette Municipal Code Section 6-211 requires that the City provide public notice of the first public hearing for any meeting that requires public notice. If there are additional meetings, they are **not re-noticed**. Be advised that it is the responsibility of any interested party to follow the continuance date or dates, as well as to be apprised of whether project revisions have been submitted.

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1 "Board" is used here as a generic term for the City Council, commissions, committees, task forces, and other public decision-making boards.